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| ro: Mail Stop Issue Fee | ггом: Mark M. Takahashi (Reg. No. 38,631) | |
| company: USPTO Art Unit 3661 | WEDNESDAY, MAY 17, 2006 | |
| FAX NUMBER: 571 273 8300 | TOTAL NO. OF PAGES INCLUDING COVER: | |
| PHONE NUMBER: | sender's reference number: 024.0022 | |
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| Petition Under 37 C.F.R. 1.181 | 10/728,224 | |
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NOTES/COMMENTS:

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PTO/SB/21 (08-03)
Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademerk Office; U.S. DEPARTMENT OF COMMERCE

Under the Peper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. TRANSMITTAL Application Number 10/728,224 Filing Date December 3, 2003 FORM (to be used for all correspondence after initial filing) First Named Inventor Robert J. Atmur **Art Unit** 3661 **Examiner Name** Nguyen, Tan Quang Total Number of Pages in This Submission Attorney Docket Number 024.0022 ENCLOSURES (check all that apply) After Allowance Communication Issue Fee Transmittal (In Drawings(s) to Technology Center (TC) Duplicate) Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to TC X Amendment / Reply Petition to Withdraw Holding (Appeal Notice, Brief, Reply Brief) of Abandonment (37 C.F.R. 1.181)Petition to Convert to a Proprietary Information Response & Amendment Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Extension of Time Request Terminal Disclaimer identify below): Express Abandonment Request Copy of Reply to Notice of Request for Refund Allowance; and Information Disclosure Statement Copy of Auto-Reply Facsimile CD, Number of CD(s) Transmission from the United States Patent & Trademark Certified Copy of Priority Document(s) Office. Response to Missing Parts/ Remarks Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Mark M. Takahashi, Reg. No. 38,631 Individual name Signature May 17, 2008 Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Type or printed name Mark M. Takahashi, Reg. No. 38,631 nn May 17, 2006 Date Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or rotatin a benefit by the public which is to fite (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. SEND FEES OR COMPLETED FORMS TO: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No. 10/728,224 Reply to Notice of Abandonment of May 4, 2006

UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/728,224

Confirmation No. 7502

Applicant

Robert J. Atmur

Filed

December 3, 2003

TC/A.U.

3661

Examiner

Nguyen, Tan Quang

Docket No.

024.0022

Customer No.

55,397

CERTIFICATE OF MAILING/TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

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on MAY 17,2006.

Adads Ad. Tallahadhi

PETITION TO WITHDRAW HOLDING OF ABANDONMENT (37 CFR 1.181)

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant recently received a Notice of Abandonment (mailed on May 4, 2006), which states that the above-identified application stands abandoned for failure to timely pay the issue fee and publication fee. The issue fee (\$1400.00) and the publication fee (\$300.00) were due March 20, 2006. Applicant hereby petitions to withdraw the holding of abandonment pursuant to 37 C.F.R. §1.181.

Applicant submitted, via facsimile on March 2, 2006, a complete reply to the Notice of Allowance dated December 19, 2005. The March 2, 2006 submission included an authorization

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Appl. No. 10/728,224 Reply to Notice of Abandonment of May 4, 2006

MAY 1 7 2006

to charge deposit account number 50-2091 for the issue fee and the publication fee, a Fee Address Indication form, and a Certificate of Transmission/Mailing. A full and complete copy of the submission, along with the Auto-Reply Facsimile Transmission from the Office is attached. Therefore, Applicant's submission dated March 2, 2006 should be considered timely.

Applicant further affirms that any delay from the receipt of the Notice of Abandonment until the filing of this Petition is wholly unintentional.

In view of the foregoing, Applicant respectfully requests that the holding of abandonment in the above-identified application be withdrawn, and that Applicant's submission dated March 2, 2006 be considered as though no abandonment had occurred.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: May 17, 2006

Mark M. Takahashi Reg. No. 38,631 (480) 385-5060 USPTO 3/2/2006 4:33 PM PAGE 1:Auto-reply fax to 858 755 6240 COMPAI 1/001 Fax Server COMPANY:

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